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September 21, 2005

BY E-FILE AND HAND DELIVERY

The Honorable Kent A. Jordan
United States District Judge
United States District Court for the District of Delaware
United States Courthouse
844 North King Street
Wilmington, Delaware 19801

Re: Ronald Cantor, et al. v. Ronald O. Perelman, et al.
Civil Action No. 97-586 (KAJ)

Dear Judge Jordan:

This firm represents plaintiffs in the above-referenced action. During the September 9, 2005 scheduling teleconference, the Court directed the parties to consult on a proposed scheduling order. The parties have agreed on all the terms of the enclosed proposed order, with one exception. Defendants would delete the phrase that appears at the end of paragraph 1(c) of the enclosed order — “except that such [*Daubert*] objections to the expert testimony of Robert W. Holthausen and William H. Purcell as set forth in the reports dated March 15, March 29 and April 9, 2002 shall be made by motion no later than November 1, 2005” — and plaintiffs would include it.

Plaintiffs believe that *Daubert* objections to the expert testimony of Robert W. Holthausen and William H. Purcell as set forth in the reports dated March 15, March 29 and April 9, 2002 should be made by motion no later than November 1, 2005, while defendants believe that such motions should be made no later than June 1, 2006. The parties have had this expert testimony for more than three years at this point, and plaintiffs do not believe that there is any reason to delay *Daubert* motions with respect to this testimony. In addition, given the many other tasks before the parties in the months prior to trial, plaintiffs believe that it makes sense to address these issues, if necessary, sooner rather than later.

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We are, of course, available to address this issue or any other issues further with Your Honor if requested.

Respectfully submitted,

/s/ Philip Trainer, Jr.

Phillip Trainer, Jr. (I.D. #2788)

Enclosure

cc: (by facsimile w/ encl.)
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